

IN THE UNITED STATES COURT FOR THE DISTRICT OF UTAH
CENTRAL DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

vs.

PAUL B. ZACCARDI, et al.,

Defendants.

MEMORANDUM DECISION AND
ORDER DENYING MOTION TO SET
ASIDE DEFAULT OF SAVED BY
GRACE CHRISTIAN FELLOWSHIP

Case No. 2:11-CV-135 TS

This matter is before the Court on a Motion to Set Aside Default filed by Defendant Paul B. Zaccardi. The Clerk of the Court entered a default certificate as to Saved by Grace Christian Fellowship, after no answer had been filed by that entity. Mr. Zaccardi had, however, attempted to answer for Saved by Grace Christian Fellowship.

As this Court has previously explained, “a corporation can appear in a court of record only by an attorney at law.”¹ A corporation may not appear “through a non-attorney corporate

¹*Flora Const. Co. v. Fireman’s Fund Ins. Co.*, 307 F.2d 413, 414 (10th Cir. 1962).


officer appearing *pro se*.”² Therefore, Mr. Zaccardi cannot represent Defendant Saved By Grace Christian Fellowship. Mr. Zaccardi asserts that because Saved by Grace Christian Fellowship is a corporation sole he has the ability to appear on its behalf. The Court disagrees.

It is therefore

ORDERED that Defendant’s Motion to Set Aside Default (Docket No. 27) is DENIED.

DATED August 29, 2011.

BY THE COURT:



TED STEWART
United States District Judge

²*Harrison v. Wahatoyas, L.L.C.*, 253 F.3d 552, 556 (10th Cir. 2001); *see also* DUCivR 83-1.3(c) (“No corporation, association, partnership or other artificial entity may appear *pro se* but must be represented by an attorney who is admitted to practice in this court.”).